



Southern District of New York

The Silvio J. Mollo Building  
 One Saint Andrew's Plaza  
 New York, New York 10007

June 30, 2008

**BY HAND DELIVERY**

Honorable Richard J. Sullivan  
 United States District Judge  
 United States District Court  
 Southern District of New York  
 500 Pearl Street, Room 615  
 New York, New York 10007

Re: United States v. Carmen Ortiz  
 08 Cr. 567 (RJS)

*RECEIVED - ENDORSED*

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>7/2/08</u>

Dear Judge Sullivan:

The Government writes to inform Your Honor that on January 23, 2008, the Government indicted the defendant, Carmen Ortiz, with conspiring to distribute 5 kilograms and more of cocaine, in violation of Title 21, United States Code, Sections 846 and 841(b)(1)(A), and with conspiring to launder narcotics proceeds, in violation of Title 18, United States Code, Section 1956(h). The case was assigned to Your Honor.

The defendant was arrested on Complaint - a copy of which is provided - in California, brought to the District on a Rule 5(c)(3) transfer, was subsequently released on bail, and resides in California. Because of the amount of time needed for the defendant to appear in this District, upon consultation with Your Honor's Deputy Clerk, the case has been set for arraignment and an initial pretrial conference on Thursday, July 17 at 3:30 p.m.

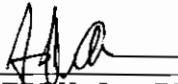
The Government also requests that time from today through July 17 be excluded from the speedy trial clock, both to permit the Government to begin making discovery and to permit the parties to continue their discussions regarding a possible disposition of the charges.

The Government respectfully submits that the ends of justice served by such an exclusion outweigh the best interests of the public and the defendant in a speedy trial pursuant to 18 U.S.C. § 3161(h)(8)(A).

A copy of the indictment is enclosed. Please let me know if you have any questions.

Respectfully submitted,

MICHAEL J. GARCIA  
United States Attorney for the  
Southern District of New York

By: 

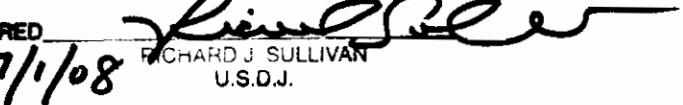
JEFFREY A. BROWN  
Assistant United States Attorney  
Telephone: (212) 637-1110

cc (by fax): Gerry DiChiara, Esq.

On the consent of all parties, the time between today and July 17, 2008 is excluded pursuant to 18 USC 3161(h)(8)(A) in the interest of justice. Specifically, the Court finds that the defendant's and public's interest in a speedy trial is outweighed in this instance by defendant's need to review discovery, consider possible motions and continue plea discussions.

SO ORDERED  
Dated: 7/1/08

RICHARD J. SULLIVAN  
U.S.D.J.





United States Attorney  
Southern District of New York

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The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

July 1, 2008

**BY HAND DELIVERY**

Honorable Richard J. Sullivan  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 615  
New York, New York 10007

**Re: United States v. Carmen Ortiz**  
**08 Cr. 567 (RJS)**

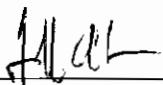
Dear Judge Sullivan:

The Government submitted a letter yesterday requesting that Your Honor schedule an arraignment and initial pre-trial conference in the above captioned case for July 17, and requested an exclusion of time through that date. The letter neglected to state explicitly that the defendant consents to the exclusion of time; the defendant does in fact consent to the exclusion, through counsel. We apologize for the omission.

Respectfully submitted,

MICHAEL J. GARCIA  
United States Attorney for the  
Southern District of New York

By:

  
\_\_\_\_\_  
JEFFREY A. BROWN  
Assistant United States Attorney  
Telephone: (212) 637-1110

cc (by fax): Gerry DiChiara, Esq.